



ORDINANCE NO. 2020- 01

AN ORDINANCE ESTABLISHING FRANKLIN COUNTY, INDIANA, AS A SECOND AMENDMENT SANCTUARY

WHEREAS, Franklin County has previously adopted an 2ND AMENDMENT Ordinance on Jan 22, 2013, in support of the Second Amendment to the United States Constitution; and

WHEREAS, given recent developments across the country, the Board of Commissioners of Franklin County, Indiana (the "Commissioners"), wish to reiterate and strengthen the provisions previously set forth therein; and

WHEREAS, the Commissioners wish to reiterate their support for and pledge to uphold the Constitution of the United States and particularly the Second Amendment to the Constitution; and

WHEREAS, the Commissioners stand with and support local, state, and federal leaders that oppose the enactment and support the repeal of any laws that violate Second Amendment Rights.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Franklin County, Indiana:

- A. **Second Amendment Sanctuary** Franklin County, Indiana, is hereby established as a "Second Amendment Sanctuary."
- B. **Non-Enforcement of Unconstitutional Laws** The Commissioners fully support the Franklin County Sheriff to the extent the Sheriff's Department believes the enforcement of any law would violate the Second Amendment of the United States Constitution.
- C. **Local Ordinances** The Franklin County Commissioners will not enact any local legislation that would infringe upon the Second Amendment Rights of Franklin County citizens. The Commissioners will not support or participate in the enactment of any state or federal law hereinafter enacted that infringes on Second Amendment rights. Apart from expenditures incidental to the Lawful Prohibitions set forth below, the Commissioners will not participate in or support any expenditures of taxpayer funds to support laws that infringe on citizens' Second Amendment Rights.
- D. **Lawful Prohibitions** Nothing contained herein shall be deemed to create a defense to any unlawful act or create a right to violate any law by an individual citizen, including but not limited to any prohibitions on certain individuals possessing firearms as a result of lawful determinations of any federal or state court. The protections provided to citizens by this ordinance do not apply to persons who have been convicted of felony crimes or who are prohibited from possessing firearms under federal law. This ordinance is not intended to prohibit or affect in any way the prosecution of any crime for which the use of, or possession of, a firearm is an aggregating factor or enhancement to an otherwise independent crime

E. **Severability** The provisions of this act are hereby declared to be severable, and if any provision of this act or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this act.

F. **Effective Date** This Ordinance shall be effective on passage.

Passed and adopted by the Board of Commissioners of Franklin County, Indiana on this

28 day of Jan., 2020.

BE IT NOW ORDAINED AND ADOPTED this 28 day of Jan,
2020, by a vote of 3 aye, _____ nay, and _____ abstain, by the

BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, INDIANA

Approving Members:

Tom Wilson _____ TOM WILSON
Gerald Wendel _____

Printed: _____ Printed: GERALD WENDEL

Tom Linkel _____ Tom Linkel

Printed: _____

Dissenting Members:

Printed: _____ Printed: _____

Printed: _____

ATTEST: Karla G. Bauman
KARLA BAUMAN, FRANKLIN COUNTY AUDITOR
FRANKLIN COUNTY, INDIANA